

REMARKS

The Office Action dated June 16, 2006, has been received and carefully considered. Reconsideration of the outstanding objections/rejections in the present application is respectfully requested based on the following remarks.

At the outset, the undersigned thanks the Examiner for the courtesies extended during the interview conducted on November 28, 2006, during which agreement was reached on claim language that would better clarify the claimed systems and methods, overcome the cited references, and result in allowance.

I. THE INFORMATION DISCLOSURE STATEMENT

An Information Disclosure Statement and accompanying PTO-1449 form were filed on December 1, 2006. There is presently no indication that the Examiner considered the references identified in that Information Disclosure Statement. Accordingly, the Examiner is respectfully requested to acknowledge consideration of the references identified in that Information Disclosure Statement by initialing the PTO-1449 form and returning a copy of the initialed form to the undersigned.

II. THE OBVIOUSNESS REJECTION OF CLAIMS 1-18, 20-24 AND 26-27

On page 2 of the Office Action, claims 1-18, 20-24 and 26-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tarter (U.S. Patent No. 5,550,734) or over Tarter in view of Field (U.S. Patent No. 6,073,104). This rejection is hereby respectfully traversed.

As stated in MPEP § 2143, to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation

of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Although Applicant does not agree with the pending rejections, Applicant has nonetheless amended each of the independent claims to clarify the invention as agreed during the interview. As discussed during the interview, none of the cited references, including Tarter and Field, teach or suggest -- alone or in combination -- each and every element of independent claim 1, as amended. Accordingly, for at least this reason, Applicant respectfully submits that claim 1 is allowable over the cited references.

Regarding claims 14 and 20, these claims recite subject matter related to claim 1. Thus, the arguments set forth above with respect to claim 1 are equally applicable to claims 14 and 20. Accordingly, it is respectfully submitted that claims 14 and 20 are allowable over the cited references for the same reasons as set forth above with respect to claim 1.

Regarding claims 2-13, 15-18, 21-24 and 26-27, these claims are dependent upon independent claim 1, 14 or 20. Thus, since independent claims 1, 14 and 20 should be allowable as discussed above, claims 2-13, 15-18, 21-24 and 26-27 should also be allowable at least by virtue of their dependency on independent claim 1, 14 or 20. Moreover, these claims recite additional features which are not disclosed, or even suggested, by the cited references taken either alone or in combination.

In view of the foregoing, it is respectfully requested that the aforementioned obviousness rejection of claims 1-18, 20-24 and 26-27 be withdrawn.

II. CONCLUSION

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

To the extent necessary, a petition for an appropriate extension of time under 37 CFR § 1.136 is hereby made.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0206, and please credit any excess fees to the same deposit account.

Respectfully submitted,

Hunton & Williams LLP

By:


Ozzie A. Farres
Registration No. 43,606

Hunton & Williams LLP
1900 K Street, N.W.
Washington, D.C. 20006-1109
Telephone: (202) 955-1500
Facsimile: (202) 778-2201

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